

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 21, 2000**

## DIVISION ONE

B124253 Mitchell  
v.  
Upjohn Company

Filed order denying petition for rehearing.

B142704 People (Not for Publication)  
v.  
Curtis M.

The order under review is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.  
Vogel (Miriam A.), J.

B139486 People (Not for Publication)  
v.  
Timothy A.

The order of wardship is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Ortega, J.

## DIVISION ONE (Continued)

B137347      White      (Not for Publication)  
v.  
City of Los Angeles et al.

The trial court's dismissal of this case and its denial of plaintiff's motion to set aside the dismissal are reversed. Plaintiff is entitled to costs on appeal.

Mallano, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B135418      Padilla  
v.  
KMEX/Channel 34

Filed order denying petition for rehearing.

DIVISION TWO

Court convened at 9:15 A.M.

Present: Boren, P.J., Nott, J., Cooper, J., Todd, J. and R. Hernandez, Deputy Clerk.

B137012      People  
v.  
Robertson

Merits:  
Argued by Jerald Newton for appellant and by April Rylaarsdam, deputy attorney general, for respondent. Cause submitted.

DIVISION TWO (Continued)

B129891     Frank  
               v.  
               Walt Disney Company

Merits:  
Argued by Charles Mathews for appellant and by Cara Miller for respondent. Cause submitted.

B135859     People  
               v.  
               Evans

Merits:  
Argued by Mary Bernstein for appellant and by Scott Quan, deputy attorney general, for respondent. Cause submitted.

B128128     Kwon  
               v.  
               Kim

Merits:  
Argued by Bruce Adelstein for respondent and by Andrea Gauthier for appellant. Cause submitted.

B133803     McGinnis  
               v.  
               Pacificare

Merits:  
Argued by John Montano for respondent and by India Thompson for appellant. Cause submitted.

DIVISION TWO (Continued)

B135888      Colen  
                 v.  
                 Global Investments

Merits:

John Colen, appeared as appellant in propria persona. No appearance on behalf of respondent. Matter ordered off calendar and ordered consolidated with appeal B138649, cases to be decided together.

B136113      Randino  
                 v.  
                 Esposito

Merits:

Argued by Robert L. Kern for appellant and by Matthew C. Brown for respondent. Cause submitted.

B132382      General Development Company  
                 v.  
                 Colombia Square

Merits:

Argued by Faryan Afifi for appellant and by Gordon May for respondent. Cause submitted.

B136396      Greenstein  
                 v.  
                 Monty's Club

Merits:

Argued by David Greenstein, appellant in propria persona and by Aaron Booth for respondent. Cause submitted.

DIVISION TWO (Continued)

B128353     Barry Silbermann  
               v.  
               Larry Silbermann

Merits:

Argued by Barry Silbermann, respondent in propria persona and by  
Alexandra Leichter for appellant. Cause submitted.

Court adjourned.

B140263     Los Angeles County, D.C.F.S.     (Not for Publication)  
               v.  
               Lidia P.

The judgment is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                   Cooper, J.

B118003     Aggregate Recycling Systems     (Not for Publication)  
               v.  
               City of Huntington Park et al.

The order dismissing respondents is affirmed. The appeal against the City  
is dismissed. Respondents and the City are awarded costs on appeal.

Nott, J.

We concur:   Boren, P.J.  
                   Cooper, J.

DIVISION THREE

B123743      Keehn      (Not for Publication)  
v.  
TRW Inc.

The judgment is affirmed. Each party to bear their own costs.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

B140108      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Bonnie F.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

B139897      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Daniel G.

The orders are affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

### DIVISION THREE (Continued)

B133403      People                                  (Not for Publication)  
v.  
Abel Pantino Bacilio

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

B131424 People (Not for Publication)  
v.  
Monroy

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

B136660 Richard Ortloff et al. (Not for Publication)  
v.  
Martin J. Kraus, M.D.

The judgment is reversed, and the matter is remanded for further proceedings. Upon remand, the trial court is ordered to afford the Ortloffs the opportunity to file opposition papers to the motion for summary judgment and thereafter to determine the motion for summary judgment on its merits. The Ortloffs are to recover costs on appeal.

Perluss, J. (Assigned)

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

DIVISION FOUR

B136891      Ramirez                      (Not for Publication)  
v.  
Ramirez

The judgment is affirmed. Respondent(s) to recover costs.

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

## DIVISION FIVE

[illegible]

The clerk of the juvenile court shall correct the disposition order to reflect that the minor be given predisposition credit of 67 days. The warship order and all other orders are affirmed in all other respects

Turner, P.J.

We concur: Grignon, J.  
Armstrong, J.

B136671      Ruel Mizrachi      (Not for Publication)  
v.  
Ziona Rotter, as Trustee, etc.

The order is reversed and the superior court is directed to vacate its order finding there was a contest and enter a new order holding the October 4, 1996, petition was not a contest. Ruel Mizrachi shall recover his costs on appeal from Ziona Rotter, as trustee of the J. and S. Revocable Trust.

Turner, P.J.

We concur: Grignon, J.  
Godoy Perez, J.



## DIVISION FIVE (Continued)

B140815      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Lynette S.  
In re Emric S.

The judgment is affirmed.

Armstrong, J.

We concur:   Turner, P.J.  
                      Grignon, J.

DIVISION SIX

[illegible]

The judgment (order denying motion to suppress) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

B134133      People                                  (Not for Publication)  
v.  
**Williams**

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.  
Perren, J.

## DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Yegan, J.

We concur:   Gilbert, P.J.  
                      Coffee, J.

B133033      Page      (Not for Publication)  
v.  
City of Santa Barbara  
Pozzato et al.

The judgment in favor of the City on the complaint and cross-complaint filed by Page and Pozzato is affirmed. The judgment in favor of Pozzato on Page's complaint against Pozzato is affirmed. The order granting Page's motion for new trial on Pozzato's cross-complaint against Page is reversed, and the trial court is directed to instead enter judgment in favor of Page on that cross-complaint.

The City shall recover its costs on appeal from Page and Pozzato. Page and Pozzato shall bear their own costs.

Coffee, J.

We concur: Gilbert, P.J.  
Yegan, J.

B136132 People (Not for Publication)  
v.  
Perez

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

## DIVISION SIX (Continued)

B134829 People (Not for Publication)  
v.  
Torres

The judgment is affirmed.

Coffee, J.

We concur:    Gilbert, P.J.  
                         Yegan, J.

B138117      People      (Not for Publication)  
v.  
Wilkinson

The judgment is affirmed.

Yegan, J.

We concur:    Gilbert, P.J.  
                         Coffee, J.